

(r) The term *hot work* means riveting, welding, burning or other fire or spark producing operations.

(s) The term *cold work* means any work which does not involve riveting, welding, burning or other fire or spark producing operations.

(t) The term *portable unfired pressure vessel* means any pressure container or vessel used aboard ship, other than the ship's equipment, containing liquids or gases under pressure, excepting pressure vessels built to Department of Transportation regulations under 49 CFR part 178, subparts C and H.

(u) The term *powder actuated fastening tool* means a tool or machine which drives a stud, pin, or fastener by means of an explosive charge.

(v) For purposes of § 1915.97, the term *hazardous material* means a material which has one or more of the following characteristics:

(1) Has a flash point below 140 °F., closed cup, or is subject to spontaneous heating;

(2) Has a threshold limit value below 500 p.p.m. in the case of a gas or vapor, below 500 mg./m.³ for fumes, and below 25 m.p.p.c.f. in case of a dust;

(3) Has a single dose oral LD₅₀ below 500 mg./kg.;

(4) Is subject to polymerization with the release of large amounts of energy;

(5) Is a strong oxidizing or reducing agent;

(6) Causes first degree burns to skin in short time exposure, or is systemically toxic by skin contact; or

(7) In the course of normal operations, may produce dusts, gases, fumes, vapors, mists, or smokes which have one or more of the above characteristics.

[47 FR 16986, Apr. 20, 1982, as amended at 67 FR 44541, July 3, 2002]

§ 1915.5 Incorporation by reference.

(a) Specifications, standards, and codes of agencies of the U.S. Government, to the extent specified in the text, form a part of the regulations of this part. In addition, under the authority vested in the Secretary under the Act, the specifications, standards, and codes of organizations which are not agencies of the U.S. Government, in effect on the date of the promulgation of the regulations of this part as

listed below, to the extent specified in the text, form a part of the regulations of this part.

(b)(1) The standards listed in paragraph (d) of this section are incorporated by reference in the corresponding sections noted as the sections exist on the date of the approval, and a notice of any change in these standards will be published in the FEDERAL REGISTER. The Director of the Federal Register approved these incorporations by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) Any changes in the standards incorporated by reference in this part and an official historic file of such changes are available for inspection in the Docket Office at the national office of the Occupational Safety and Health Administration, U.S. Department of Labor, Washington, DC 20910; telephone: 202-693-2350 (TTY number: 877-889-5627).

(c) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed below for these private standards organizations. In addition, these standards are available for inspection at the National Archives and Records Administration (NARA). For information on the availability of these standards at NARA, telephone: 202-741-6030, or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Also, the standards are available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210; telephone: 202-693-2350 (TTY number: 877-889-5627).

(d)(1) Except as noted, copies of the standards listed below in this paragraph are available for purchase from the American National Standards Institute (ANSI), 25 West 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4900; fax: 212-398-0023; Web site: <http://www.ansi.org>.

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(i) ANSI A14.1–1975 Safety Requirements for Portable Wood Ladders, IBR approved for §1915.72(a)(6).

(ii) ANSI A14.2–1972 Safety Requirements for Portable Metal Ladders, IBR approved for §1915.72(a)(4).

(iii) ANSI B7.1–1964 Safety Code for the Use, Care, and Protection of Abrasive Wheels, IBR approval for §1915.134(c).

(iv) ANSI Z41–1999, American National Standard for Personal Protection—Protective Footwear; IBR approved for §1915.156(b)(1)(ii). Copies of ANSI Z41–1999 are available for purchase only from the National Safety Council, P.O. Box 558, Itasca, IL 60143–0558; telephone: 1–800–621–7619; fax: 708–285–0797; Web site: <http://www.nsc.org>.

(v) ANSI Z41–1991, American National Standard for Personal Protection—Protective Footwear; IBR approved for §1915.156(b)(1)(iii). Copies of ANSI Z41–1991 are available for purchase only from the National Safety Council, P.O. Box 558, Itasca, IL 60143–0558; telephone: 1–800–621–7619; fax: 708–285–0797; Web site: <http://www.nsc.org>.

(vi) ANSI Z87.1–2003, American National Standard Practice for Occupational and Educational Eye and Face Protection; IBR approved for §1915.153(b)(1)(i). Copies of ANSI Z87.1–2003 are available for purchase only from the American Society of Safety Engineers, 1800 East Oakton Street, Des Plaines, IL 60018–2187; telephone: 847–699–2929; or from the International Safety Equipment Association (ISEA), 1901 North Moore Street, Arlington, VA 22209–1762; telephone: 703–525–1695; fax: 703–528–2148; Web site: <http://www.safetysite.org>.

(vii) ANSI Z87.1–1989 (R–1998), American National Standard Practice for Occupational and Educational Eye and Face Protection; IBR approved for §1915.153(b)(1)(ii). Copies of ANSI Z87.1–1989 (R–1998) are available for purchase only from the American Society of Safety Engineers, 1800 East Oakton Street, Des Plaines, IL 60018–2187; telephone: 847–699–2929.

(viii) ANSI Z87.1–1989, American National Standard Practice for Occupational and Educational Eye and Face Protection; IBR approved for §1915.153(b)(1)(iii).

(ix) ANSI Z89.1–2003, American National Standard for Industrial Head Protection; IBR approved for §1915.155(b)(1)(i). Copies of ANSI Z89.1–2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209–1762; telephone: 703–525–1695; fax: 703–528–2148; Web site: <http://www.safetysite.org>.

(x) ANSI Z89.1–1997, American National Standard for Industrial Head Protection; IBR approved for §1915.155(b)(1)(ii). Copies of ANSI Z89.1–1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209–1762; telephone: 703–525–1695; fax: 703–528–2148; Web site: <http://www.safetysite.org>.

(xi) ANSI Z89.1–1986, American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements; IBR approved for §1915.155(b)(1)(iii).

(2) The following material is available for purchase from the American Society of Mechanical Engineers, 345 East 47th Street, New York, New York 10017:

(i) ASME Boiler and Pressure Vessel Code, Section VIII, Rules for Construction of Unfired Pressure Vessels, 1963, IBR approved for §1915.172(a).

(3) The following material is available for purchase from the American Conference of Governmental Industrial Hygienists (ACGIH), 1014 Broadway, Cincinnati, OH 45202:

(i) Threshold limit values, 1970, IBR approved for §§1915.12(b) and 1915.1000, table Z.

(4) The following material is available for purchase from the National Fire Protection Association, 1 Batterymarch Park, PO Box 9101, Quincy, MA 02269–9101:

(i) NFPA 1981–2002 Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire and Emergency Services, IBR approved for 1915.505(e)(3)(v).

(ii) NFPA 1971–2000, Standard on Protective Ensemble for Structural Fire Fighting, IBR approved for §1915.505(e)(4)(ii).

(iii) NFPA 1976–2000, Standard on Protective Ensemble for Proximity

Fire Fighting, IBR approved for § 1915.505(e)(5).

(iv) NFPA 1982-1998, Standard on Personal Alert Safety Systems (PASS), IBR approved for § 1915.505(e)(6)(ii).

(v) NFPA 1983-2001, Standard on Fire Service Life Safety Rope and System Components, IBR approved for § 1915.505(e)(7)(i).

(vi) NFPA 10-2002 Standard for Portable Fire Extinguishers, IBR approved for §§ 1915.507(b)(1) and (b)(2).

(vii) NFPA 14-2003 Standard for the Installation of Standpipe and Hose Systems, IBR approved for §§ 1915.507(b)(2) and (d)(1).

(viii) NFPA 72-2002 National Fire Alarm Code, IBR approved for § 1915.507(c)(6).

(ix) NFPA 13-2002 Standard for the Installation of Sprinkler Systems, IBR approved for § 1915.507(d)(2).

(x) NFPA 750-2003 Standard on Water Mist Fire Protection Systems, IBR approved for § 1915.507(d)(2).

(xi) NFPA 25-2002, Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, IBR approved for § 1915.507(d)(2).

(xii) NFPA 15-2001, Standard for Water Spray Fixed Systems for Fire Protection, IBR approved for § 1915.507(d)(3).

(xiii) NFPA 11-2005 Standard for Low-, Medium-, and High-Expansion Foam, IBR approved for § 1915.507(d)(3).

(xiv) NFPA 17-2002, Standard for Dry Chemical Extinguishing Systems, IBR approved for § 1915.507(d)(4).

(xv) NFPA 12-2005, Standard on Carbon Dioxide Extinguishing Systems, IBR approved for § 1915.507(d)(5).

(xvi) NFPA 12A-2004, Standard on Halon 1301 Fire Extinguishing Systems, IBR approved for § 1915.507(d)(5).

(xvii) NFPA 2001-2004, Standard on Clean Agent Fire Extinguishing Systems, IBR approved for § 1915.507(d)(5).

(xviii) NFPA 1403-2002, Standard on Live Fire Training Evolutions, IBR approved for § 1915.508(d)(8).

(5) Copies of the standards listed below in this paragraph are available for purchase from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959; telephone: 610-832-9585; fax: 610-832-9555; e-mail: service@astm.org; Web site: <http://www.astm.org>:

(i) ASTM F-2412-2005, Standard Test Methods for Foot Protection; IBR approved for § 1915.156(b)(1)(i).

(ii) ASTM F-2413-2005, Standard Specification for Performance Requirements for Protective Footwear; IBR approved for § 1915.156(b)(1)(i).

[61 FR 26359, May 24, 1996, as amended at 67 FR 44541, July 3, 2002; 69 FR 18803, Apr. 9, 2004; 69 FR 55702, Sept. 15, 2004; 71 FR 60846, Oct. 17, 2006; 74 FR 46357, Sept. 9, 2009]

§ 1915.6 Commerical diving operations.

Commerical diving operations shall be subject to subpart T of part 1910, §§ 1910.401-1910.441 of this chapter.

§ 1915.7 Competent person.

(a) *Application.* This section applies to shipyard employment.

(b) *Designation.* (1) One or more competent persons shall be designated by the employer in accordance with the applicable requirements of this section, unless the requirements of subparts B, C, D and H of this part are always carried out by a Marine Chemist. *Exception:* The employer may designate any person who meets the applicable portions of the criteria set forth in paragraph (c) of this section as a competent person who is limited to performing testing to the following situations:

(i) Repair work on small craft in boat yards where only combustible gas indicator tests are required for fuel tank leaks or when using flammable paints below decks;

(ii) Building of wooden vessels where only knowledge of the precautions to be taken when using flammable paints is required;

(iii) The breaking of vessels where there is no fuel oil or other flammable hazard; and

(iv) Tests and inspections performed to comply with §§ 1915.35(b)(8) and 1915.36(a)(5).

(2)(i) The employer shall maintain either a roster of designated competent persons or a statement that a Marine Chemist will perform the tests or inspections which require a competent person.

(ii) The employer shall make the roster of designated persons or the statement available to employees, the employee's representative, the Director or the Assistant Secretary upon request.